



UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

MARK E. FELGER (MF9985)
JERROLD N. POSLUSNY, JR. (JP7140)
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In re:

SHAPES/ARCH HOLDINGS L.L.C., et al.,

Debtors.

Case No. 08-14631(GMB)

Judge: Gloria M. Burns

Chapter: 11

**ORDER REGARDING LETTER-MOTION OF
LISTON SMITH, JR., FOR STAY RELIEF**

The relief set forth on the following page, numbered two (2), is hereby **ORDERED**.

DATED: 7/7/2008



Honorable Gloria M. Burns
United States Bankruptcy Court Judge

Page 2

Shapes/Arch Holdings L.L.C., et al.

Case No. 08-14631 (GMB)

Order Regarding Letter-Motion of Liston Smith, Jr., for Stay Relief

Upon consideration of the letter-motion of Liston Smith, Jr. (the “Motion”),¹ for relief from the automatic stay to allow him to assist the EEOC in its investigation of Mr. Smith’s alleged claims before the EEOC; the Debtors’ limited objection to the Motion (the “Limited Objection”), and for cause shown, it is hereby **ORDERED**:

1. That automatic stay does not apply to the EEOC’s investigation of Mr. Smith’s claims or to Mr. Smith assisting the EEOC in that investigation, and that the EEOC investigation may proceed.

2. That if the EEOC issues a “Notice of Right to Sue Letter” or similar document, the automatic stay does apply to Mr. Smith attempting to proceed with a personal claim for recovery from the Debtors.

3. That if Mr. Smith determines to proceed with a personal action, he must file a separate motion for relief from the automatic stay for authority to proceed.

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¹ Unless otherwise defined herein, capitalized terms shall have the same meaning ascribed to them in the Debtors’ Response.